

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

**IN RE: DIGITEK  
PRODUCTS LIABILITY LITIGATION**

**MDL NO. 1968**

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**THIS DOCUMENT RELATES TO ALL CASES**

**PRETRIAL ORDER #5**

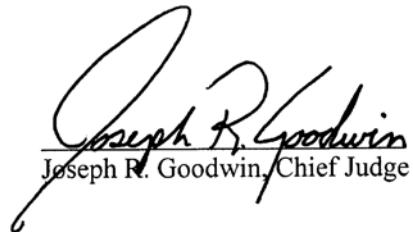
The initial monthly status conference will be held on Wednesday, November 19, 2008, at 10:00 a.m. in Judge Goodwin's chambers. The dates for subsequent monthly status conferences will be agreed upon at the initial conference.

Any attorney representing any party, or any unrepresented party may attend the status conference but only Liaison and Lead Counsel, or such other counsel as the court may permit, may actively participate in the status conference. The Plaintiffs' Steering Committee Chairperson may actively participate in the status conference to the extent that the conference deals with issues under the control or management of the Steering Committee.

Matters relating to pretrial and discovery proceedings previously delayed for development until after the appointment of Lead Counsel will be addressed. Lead Counsel for the parties shall confer and submit any proposed agenda items for the conference directly to the court via fax or to [WVSDml\\_Digitek\\_Chambers@wvsd.uscourts.gov](mailto:WVSDml_Digitek_Chambers@wvsd.uscourts.gov) no later than November 17, 2008.

The court **DIRECTS** the Clerk to file a copy of this order in each 2-08-md-1968 related case transferred to, removed to, or filed in this district up to and including 2-08 -cv-1286 and it shall apply to all such cases. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to each plaintiff at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to each new party upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at [www.wvsd.uscourts.gov](http://www.wvsd.uscourts.gov).

ENTER: November 13, 2008



Joseph R. Goodwin  
Joseph R. Goodwin, Chief Judge